

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant :	Paul DiCarlo et al.	Art Unit :	1773
Serial No. :	10/791,103	Examiner :	Leszek B. Kiliman
Filed :	March 2, 2004	Conf. No. :	2432
Title :	EMBOLIC COMPOSITIONS		

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

COMMUNICATION

Applicants thank the Examiner for the opportunity to recently discuss this matter. During the discussion, Applicants noted that the Examiner failed to indicate that he considered the single reference submitted in the Information Disclosure Statement mailed with the Request for Continued Examination on February 28, 2007. The Information Disclosure Statement was the sole "submission" provided with the Request for Continued Examination, and the 1449 Form submitted with the Information Disclosure listed only a single reference. Some time has lapsed since Applicants discussion with the Examiner. Accordingly, Applicants again request that the Examiner consider the reference submitted with the Information Disclosure Statement and indicate as much by sending to Applicants an initialed copy of the corresponding 1449 Form. Given the facts presented here, Applicants believe this should be done prior to responding to the outstanding Office Action because the Office Action should have never been mailed prior to consideration of the above-noted reference.

Applicants believe that no fee is due. Please apply any charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: July 25, 2007

/Scan P. Daley/
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